

JUN 09 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: RICHARD C. CHU ET AL) Group Art Unit
SERIAL NUMBER: 09/965,037) 3743
FILED: September 27, 2001) Examiner:
FOR: TRANSPIRATION COOLED HEAT SINK) Patel
AND A SELF CONTAINED COOLANT)
SUPPLY FOR SAME)

I hereby certify that this correspondence is
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Number 703-872-9306 on June 9, 2005
Shella Smedick

Signature: Shella Smedick Name: Shella Smedick date: 6-9-05
signature

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO WITHDRAW FINALITY OF OFFICE ACTION

Applicants request that the finality of the last office action be withdrawn. On November 23, 2004, Applicants filed an RCE along with an amendment. On December 13, 2004, the Examiner issued an Office Action allowing claims 5-12 and 24-30. On March 11, 2005, Applicants filed a response to the Office Action. The response filed March 11, 2005 contained no amendments. The Office Action mailed June 2, 2005 now rejects claims 5-12 and 24-30 based on Meijer. The Office Action states that "Applicant's amendment necessitated the new ground(s) of rejection." It is not clear how this can be the case as Applicants' response filed March 11, 2005 contained no amendments. Applicants should be given the opportunity to address the rejection based on Meijer as this art is newly applied without a necessitating amendment by the Applicants.

In view of the foregoing, Applicants request that the finality of the office action mailed June 2, 2005 be withdrawn. Early notification to this effect is respectfully requested.

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132-0005

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If there are charges with respect to this matter or otherwise, please charge them to
Deposit Account No. 09-0463 maintained by Applicants' Assignee.

Respectfully submitted,

By: 

David A. Fox
Registration No. 38,807
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone (860) 286-2929
Facsimile (860) 286-0115
Customer No. 46429

Date: June 9, 2005